

**DATE:** August 16, 2011  
**STAFF:** Justin Scharton  
Helen Matson

**AGENDA ITEM SUMMARY**  
FORT COLLINS CITY COUNCIL

**21**

**SUBJECT**

First Reading of Ordinance No. 109, 2011, Authorizing a Grazing Lease on the Vangbo Property to Alison Person.

**EXECUTIVE SUMMARY**

The City of Fort Collins Natural Areas Program (NAP) purchased the Vangbo Property in 2005. At the time of purchase, the property was leased by the Person family as pasture for horses boarded at Mountain View Stables, a local business also owned by the Persons. This lease is now expired and NAP is requesting authorization to enter into a new lease for a period not to exceed five years. This lease will generate \$9,000 the first year, \$12,000 the second, and \$15,000 the third year. Should the lease extend to the fourth and fifth year, the rent will be adjusted based on the Denver-Boulder-Greeley CPI-U.

**BACKGROUND / DISCUSSION**

The Vangbo Property is located on the east side of I-25 near Prospect Road, within what was planned to be the Timnath Community Separator Area. The property totals approximately 105 acres in size and historically has been leased to the Person family as horse pasture. Vegetation is dominated by smooth brome pasture grass with a few scattered cottonwood trees. Irrigation infrastructure exists to irrigate the property via the Sand Dike Lateral.

The Persons have leased the Vangbo Property from the City since its purchase by NAP in 2005. The lease has expired and NAP is requesting authorization to extend the grazing lease to Ms. Person for up to five additional years beginning as of June 1, 2011. The lease allows Ms. Person to use the property as pasture for horses boarded on the adjacent property (Mountain View Stables) and for horseback riding associated with the boarding activities. In addition, the tenant is responsible for maintaining all fences, installing temporary fence to facilitate rotational grazing, controlling noxious plants found on the property, and routine maintenance of the irrigation infrastructure. NAP staff must approve the annual grazing plan and will inspect the property as needed to monitor the implementation of the plan.

As discussed with the Land Conservation and Stewardship Board on July 13, 2011, it is the intent of the NAP to sell this property with a conservation easement in place, dependent on review by the Board and approval by City Council. The NAP has entered into negotiations with Ms. Person and continues to work toward a final agreement. The reauthorization of the lease is necessary for Ms. Person to continue the use the property in the interim. If an agreement cannot be reached, the five year time frame should allow for a sufficient amount of time to negotiate the sale of the property with other potential buyers.

**FINANCIAL / ECONOMIC IMPACTS**

This lease will generate \$9,000 the first year, \$12,000 the second, and \$15,000 the third year. Should the lease extend to the fourth and fifth year, the rent will be adjusted based on the Denver-Boulder-Greeley CPI-U.

The leasing of this property will help support the economic health of Fort Collins and northern Larimer County. The Vangbo Property will continue to be associated with Mountain View Stables, a popular local horse boarding stable owned by Ms. Person.

**ENVIRONMENTAL IMPACTS**

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No negative environmental impacts will occur as a result of this lease. The Vangbo Property is dominated by smooth brome pasture grass with a few scattered cottonwood trees located along the irrigation system. The property will continue to be irrigated and grazed using a managed rotational system that will allow periods of rest from grazing and the regrowth of vegetation. The lease requires that any sensitive habitats or species be identified in the annual grazing management plan and if required, fenced out of the grazing rotations.

**STAFF RECOMMENDATION**

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Staff recommends adoption of the Ordinance on First Reading.

**BOARD / COMMISSION RECOMMENDATION**

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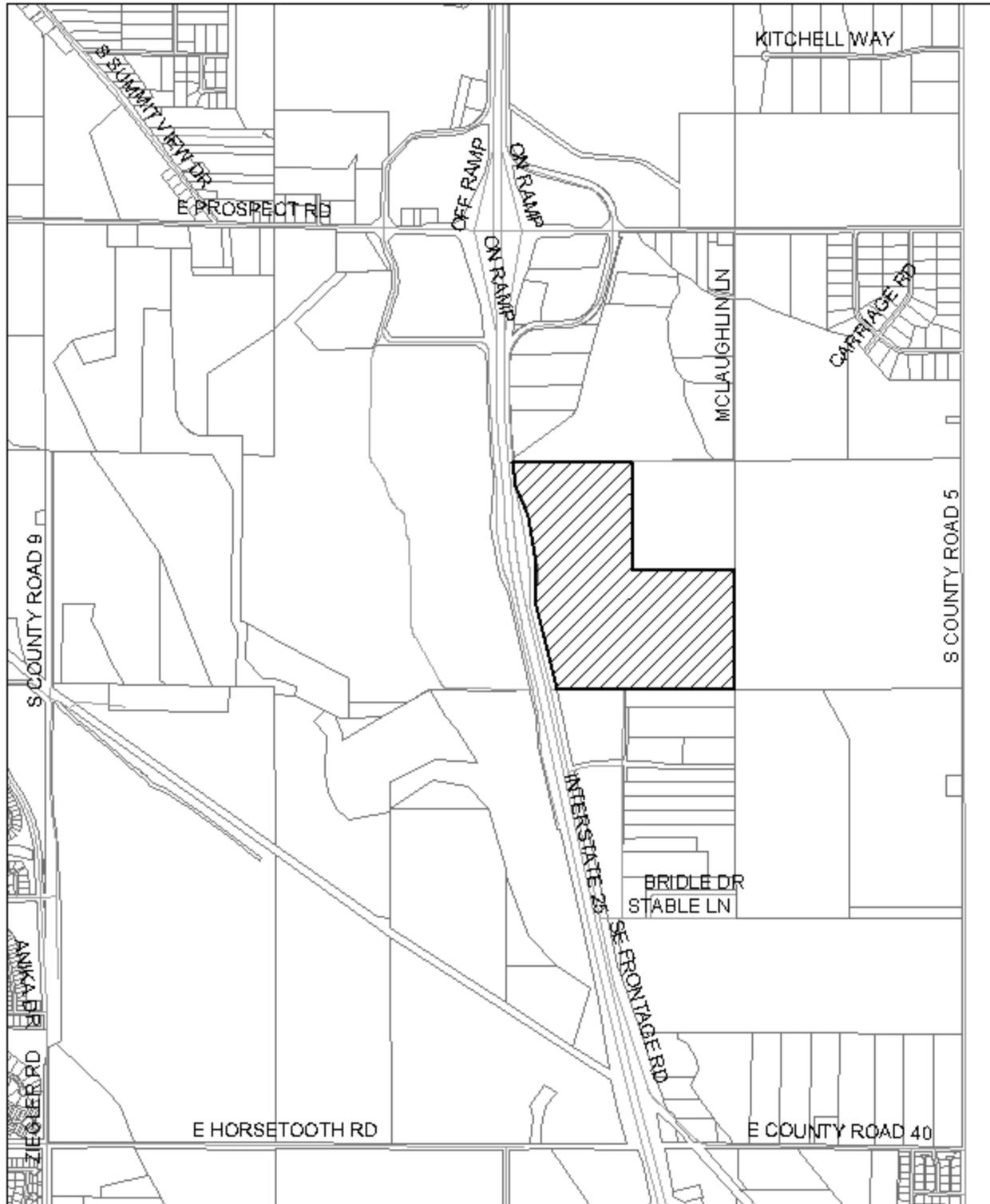
At its July 13, 2011 meeting, the Land Conservation and Stewardship Board voted unanimously to recommend approval of the lease.

**ATTACHMENTS**

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1. Location map
2. Land Conservation and Stewardship Board minutes, July 13, 2011

# Vangbo Property Grazing Lease Location Map



 Lease Property Location



**Excerpt from - Land Conservation and Stewardship Board  
Wednesday, July 13, 2011**

**Vangbo Grazing Lease**

- Figgs: The City of Fort Collins Natural Areas Program (NAP) purchased the Vangbo Property in 2005. At the time of purchase, the property was leased by Person as pasture for horses boarding at Mountain View Stables, a local business also owned by Person. This lease is now expired and NAP is requesting authorization to enter into a new lease for a period not to exceed five years. This lease will generate nine thousand dollars (\$9,000) the first year, twelve thousand dollars (\$12,000) the second, and fifteen thousand (\$15,000) the third year. Should the lease extend to the fourth and fifth year, the rent will be adjusted based on the Denver Boulder Greeley CPIU.
  - Stanley: How well has the property been maintained?
  - Figgs: Last year I noticed areas that had been, what I would consider, over grazed, which is why we insisted on a grazing plan that we will monitor.
  - Grooms: If part of the grazing program is violated who is responsible?
  - Figgs: Our intent is to watch it closely enough that this won't happen, however we have options that we can exercise quickly should we notice a problem.

Stanley moved that the Land Conservation and Stewardship Board recommend that City Council approve an ordinance authorizing a grazing lease on the Vangbo property to Alison Person for a period not to exceed five (5) years. Grooms second. It was unanimously approved.

ORDINANCE NO. 109, 2011  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING A GRAZING LEASE ON THE VANGBO  
PROPERTY TO ALISON PERSON

WHEREAS, the City is the owner of that certain property commonly known as the Vangbo property, located on the east side of I-25 south of Prospect Road, more particularly described as the NW 1/4 and S 1/2 of the SW 1/4 of Section 22, T7N R68W of the 6th Principal Meridian, Larimer County, Colorado (the "Property"); and

WHEREAS, the City purchased the Property in 2005 as part of the City's Natural Areas Program; and

WHEREAS, the City plans to eventually sell the Property, reserving a conservation easement on it; and

WHEREAS, when the City purchased the Property it was subject to an existing lease (the "Original Lease") held by Rod and Alison Person, the owners of an adjacent property; and

WHEREAS, the Persons used the Property for grazing and riding horses boarded on their adjacent property; and

WHEREAS, the Original Lease has expired, and the Natural Areas Program would like to continue leasing the Property to Alison Person for up to five years for grazing and associated purposes; and

WHEREAS, the proposed rent for the property would be \$9,000 for the first year with an increase for each additional year; and

WHEREAS, City staff has negotiated a proposed Lease Agreement with Ms. Person (the "Lease"), which is on file in the office of the City Clerk; and

WHEREAS, the Lease would be effective as of June 1, 2011; and

WHEREAS, at its regular meeting on July 13, 2011, the Land Conservation and Stewardship Board voted unanimously to recommend that the City Council approve the Lease as proposed; and

WHEREAS, Sections 23-111 and 23-114 of the City Code authorize the City Council to lease any and all interests in real property owned in the name of the City, provided that, for any lease with a potential term of more than two years, the City Council first finds, by ordinance, that the lease is in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the lease of the Property pursuant to the terms of this Ordinance and the Lease is in the best interests of the City.

Section 2. That the City Manager is hereby authorized to execute the Lease and such additional documents as are necessary to lease the Property as of June 1, 2011, on terms and conditions consistent with this Ordinance, together with such additional terms and conditions or subsequent amendments or corrections as the City Manager, in consultation with the City Attorney, determines are necessary or appropriate to protect the interests of the City, including, but not limited to, any necessary changes to the legal description of the leased area, as long as such changes do not materially increase the size or change the character of the leased area.

Introduced and considered favorably on first reading and ordered published this 16th day of August, A.D. 2011, and to be presented for final passage on the 6th day of September, A.D. 2011.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading this 6th day of September, A.D. 2011.

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Mayor

ATTEST:

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City Clerk